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UNCLAS SECTION 01 OF 06 USOSCE 000270

SENSITIVE

SIPDIS

STATE FOR VCI/CCA, VCI/NRRC, EUR/RPM, EUR/PRA, EUR/CARC,

SCA/CEN, SCA/RA, PM/WRA

JCS FOR J-5

OSD FOR ISA (PERENYI)

NSC FOR HAYES

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EUCOM FOR J-5

CENTCOM FOR J-5

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SUBJECT: OSCE/FSC NOVEMBER 5: PLENARY DISCUSSES UNPOA;
CODE OF CONDUCT QUESTIONNAIRE NEARING COMPLETION

REF: A. OCT 23 WRIGHT-MITCHELL EMAIL (FSC.DD/10/08/REV.1)

[1B.](#) NOV 4 MEYER-SILBERBERG EMAIL (BMS ON UNPOA AT
FSC 5 NOVEMBER)

[1C.](#) OCT 31 WRIGHT-SILBERBERG EMAIL (U.S. PROPOSED
TEXT ON GEORGIA FOR CHAIR'S PROGRESS
REPORT)

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[11.](#) (SBU) Summary: During the November 5 FSC Plenary the Republic of Macedonia criticized Greece for a 28 October military parade in Thessaloniki and said it had evidence that slogans against the Republic of Macedonia were chanted by Greek armed forces. Decision No. 11/08 introducing best practices to prevent destabilizing transfers of small arms and light weapons through air transport and on an associated questionnaire was adopted. The rest of the Plenary focused on the UN Program of Action (UNPOA) on the Illicit Trade in Small Arms and Light Weapons (SALW) and the Third Biennial Meeting of States (BMS3) held in July 2008. Ambassador Dalius Cekuolis, Chair of the BMS3, spoke about the role regional organizations, specifically the OSCE, could play in contributing to implementation of the UNPOA and the recommendations that came out of BMS3.

[12.](#) (SBU) In the Working Groups, the Chair requested that delegates seek final guidance from capitals on the Ministerial Council draft decision on SALW and SCA and the draft decision on end user certificates. There was consensus to endorse the draft decision on the overview of disposal aspects of liquid rocket fuel (melange) in the OSCE area at

the next plenary. The Estonian delegation said it would circulate for comment a draft agenda for the March 2009 cyber security workshop. There was discussion on the Chair's four draft progress reports. There was some discussion on the Ministerial Council decision on issues relevant to the FSC, but Russia did not have guidance from Moscow. Discussion on the draft decision for a single deadline for submission of information on defense planning will continue in the next meeting of the Working Group. There was intense discussion over the update of the questionnaire on the Code of Conduct. Many delegations expressed general sentiment that all delegations had made wins and losses and the time has come to push forward the draft decision for an update on the Code's questionnaire. Washington, please see paragraphs 9, 12, 13, and 18. Attendance in the Working Groups was less than usual as many NATO delegations had sent reps to the HLTF off-site in Romania. End Summary.

The Republic of Macedonia Condemns Greek Military Parade

¶13. (SBU) The Republic of Macedonia (Zekolli) condemned a military parade in Thessalonki on 28 October and said it had audio and visual evidence that members of the Greek armed forces chanted provocative slogans that 'contained hate, xenophobia, and intolerance.' Ambassador Zekolli said that such behavior contradicted obligations supported by the Code of Conduct on Politico-Military Aspects of Security. Greece (Sourani) responded that she could not recall 'a previous case in any international forum where a state had been criticized for conducting a military parade on its National Day.' Sourani said that slogans in parades are expressions of the sensitivities and sentiments of the local population.

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She claimed that the slogans heard in the October 28 parade did not contain any 'irredentist or aggressive references and were a testament to the fact that the people of Thessaloniki consider the name of Macedonia as an integral part of their Greek identity.'

Role the OSCE Might Play to Further Work on UNPOA

¶14. (SBU) Ambassador Dalius Cekuolis, Chair of the Third Biennial Meeting of States (BMS3) on the UN Small Arms Program of Action on the Illicit Trade in Small Arms and Light Weapons (UNPOA), addressed the FSC under the Security Dialogue. He focused on how regional organizations, such as the OSCE, could help 'keep alive' the BMS3 outcome document. He said regional organizations could help to build national capacity and political will for furthering the work on the UNPOA.

¶15. (SBU) The United Kingdom, Germany, France, Turkey, Sweden, Belarus, and Italy supported the role of the OSCE in contributing to the efforts of the BMS3. The United States spoke in favor of regional meetings to further UNPOA implementation. The UK (Gare) supported including the OSCE where a regional approach can be effective and welcomed a comprehensive OSCE program where further projects could happen. Germany (Horsten) said it was important to implement BMS3 recommendations and suggested holding an FSC workshop to look at securing stockpiles. Horsten also suggested that the OSCE could 'bridge the gap' by convening meetings and holding workshops before the next BMS is held. Germany (now with Schweizer in the chair) said the focus should be on 'normative aspects.' He looked forward to a review of the work which could result in a 'major meeting at the end of 2009.'

¶16. (SBU) The U.S. (Silberberg), drawing from talking points and notes prepared by PM and ISN per ref email A, stated that the U.S. remains fully committed to UNPOA implementation, continues to uphold our obligations under this agreement, and encourages others to do the same. Silberberg noted that in

order for States to be successful in UNPOA implementation they must undertake practical measures, including destruction of surplus weapons, development and enforcement of arms export and import control policies, and better stockpiling management; this is most effectively done at national, sub-regional, and regional levels and does not require additional global meetings.

¶17. (SBU) Separately from the discussion on the UNPOA, the decision introducing best practices to prevent destabilizing transfers of small arms and light weapons through air transport and on an associated questionnaire was adopted (FSC.DEC/11/08). The U.S. delivered an interpretive statement, per ref email B, which has been attached to the Decision and the FSC Journal of the day. The text of the U.S. statement follows:

'The U.S. welcomes FSC.DEC/11/08 and applauds the extent of Wassanaar's valuable work on best practices to prevent destabilizing transfers of small arms and light weapons by air for implementation as standard elements in the FSC.'

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The U.S. would like to underscore the value, when employing such elements, of leveraging existing export regulations that focus on the exporter's responsibility to ensure compliance by its agents, employees, and others who are party to the authorized export. Integral to that responsibility is the exporter's awareness of the means of transportation for the authorized export, to ensure it reaches the authorized end user for authorized end use.'

UPDATE ON SALW PROJECTS

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¶18. (SBU) The Coordinator for SALW projects (UK-Hartnell) provided an update on the status of SALW projects. Tajikistan second phase is expected to be completed in early 2009. There will be a donors' visit to Belarus from 16-21 November 2008. The Kyrgyz Republic has requested assistance in enhancing stockpile management and security of storage sites containing SALW and conventional ammunition and in this regard has replied to the OSCE Questionnaires on SALW and conventional ammunition. An experts' assessment visit to Kyrgyzstan is scheduled for 11-13 November 2008. Hartnell recalled the request by Cyprus during the Joint FSC-PC on 29 October and announced that Cyprus has distributed answers to the OSCE Questionnaire (FSC.EMI/419/08). Cyprus' request seeks expert assistance to develop a program, for which Cyprus will assume the costs, for the destruction of 324 MANPADS. The Coordinator mentioned that one participating State has indicated willingness to provide assistance, and stands ready to help any other participating States which respond to this request.

Ministerial Council Decision on SALW and SCA

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¶19. (SBU) In Working Group B, chaired by Finland's Tuomas Riihimaki, there was agreement to accept the U.S. proposed additional text 'within existing resources and/or extrabudgetary contributions' in the Ministerial Council decision on small arms and light weapons and stockpiles of conventional ammunition (MC.DD/7/08/Rev.2). Armenia suggested the U.S. phrase be placed in the preamble, which would apply to all operative paragraphs instead of repeating the language after each mention of OSCE contributions in the text. Azerbaijan did not have final instructions from capital. Revision 3 of this draft decision reflects the addition of the U.S. text in the preamble and the adoption of the SALW by air decision (FSC.DEC/11/08). USDEL believes that the current text satisfies U.S. criteria and will join consensus on November 12, unless otherwise directed.

Ministerial Council Decision on FSC Issues

¶10. (SBU) On the MC draft decision on issues relevant to the FSC (MC.DD/6/08/Rev.2), Georgia (Giorgadze) said it did not have instructions from capital. It is not clear whether Georgia will ultimately accept the language that refers to the FSC's Security Dialogue as 'addressing the armed conflict in August 2008 as well as other conflict situations and security problems in the OSCE area' or will insist on more

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specific language. Germany (Schweizer) suggested a minor edit correcting its proposed compromise language in operative paragraph three. The U.S. (Wright) said it could accept the German compromise language. Russia (Ulyanov) said it prefers the original text which is 'more precise and clear,' but that it did not have official instructions from Moscow. The Chair thanked the U.S. for its acceptance of the compromise language. Germany (Schweizer) also suggested that 'in its mandate' be added to operative paragraph two to make clear that the Security Dialogue continue to address issues within the FSC's mandate. Switzerland (Von Arx) suggested that the next revision contain only options one and three (i.e., delete option two, the U.S. proposed text) in operative paragraph three so delegations could focus on the two options that have support. Revision 3 distributed on November 6 reflects these changes; discussion will continue in Working Group B on November 12.

Single Deadline for Submitting Defense Planning Information

¶11. (SBU) In Working Group A, also chaired by Riihimaki, Norway, Sweden, Germany, Switzerland, Austria, and Belarus said they support Russia's VD99 proposal for a 30 September deadline to submit defense planning information (FSC.DEL/494/07/Rev.3/Corr.1). The UK (Hartnell) reported that although the U.K. budget runs from April to April it must go to Parliament for approval, which means it 'lands in the hands of politicians' and, like the U.S. budget, is notorious for not being approved on time. Discussion will continue in the Working Group on November 12.

End User Certificates

¶12. (SBU) The Chair (Riihimaki) noted that the phrase 'and/or other pertinent documents' was inserted into operative paragraph one of the draft decision on an information exchange with regard to sample formats of end-user certificates and relevant verification procedures (FSC.DD/9/08/Rev.3). Riihimaki said that this additional language derives from the SALW document and makes reference to additional documents that States may use for the same purpose. The UK, U.S., Germany, and Poland supported Revision 3 of the draft decision. USDel believes that the current text satisfies U.S. criteria and will join consensus on November 12, unless otherwise directed.

Liquid Rocket Fuel

¶13. (SBU) Greece was the only delegation without final instructions from capital on the draft decision on the overview of disposal aspects of liquid rocket fuel in the OSCE area (FSC.DD/13/08). This draft decision (melange) will be adopted on November 12, pending Greece's support. USDEL believes that the current text satisfies U.S. criteria and will join consensus, unless otherwise directed.

Code of Conduct

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¶14. (SBU) Latvia and the UK argued, right off the bat, that changes they had proposed to the draft decision on an update of the questionnaire on the Code of Conduct (FSC.DD/14/08) had not been accepted. The Chair (Riihimaki) stressed the need to 'finalize the process.' He acknowledged that several States still have differing views on a number of issues related to the questionnaire, but that everyone had to make compromises. He urged delegations to demonstrate 'flexibility,' and strongly noted that 'we should get a result this year' if we wanted the document to be ready for use in April 2009 when the next set of States' replies will be submitted.

¶15. (SBU) The UK (Hartnell), supported by Turkey and Latvia, repeated that it still disapproves of question II.1.2 and thought it odd that we would ask States to comment on 'the legitimate security concerns of other States.' Russia (Ulyanov) said that this question exists due to Russia's insistence; in fact, Russia thinks 'it is one of the most important items in the entire Code.' (NOTE: After the Working Group, Hartnell approached USDel and inquired whether we supported keeping the question in. It is unclear at this point whether London will live with the question, or stand in the way of the document going forward.)

¶16. (SBU) Latvia (Nilsons) expressed concern that paragraph three of section one (other international commitments) still appeared in the questionnaire. If nothing else, he suggested the two questions become one and also recommended removal of the phrase 'in good faith' from the end of question I.3.1. He said that Latvia preferred paragraph three of section one in a previous version of the questionnaire (FSC.DEL/9/08/Rev.1) 11 June). He also noted that Latvia preferred to see 'if applicable' added to the three questions that consisted of section one in the 11 June version.

¶17. (SBU) Belorussian delegate Pavlov said that although Belarus was 'skeptical' on adopting the draft decision it would not stand in the way of continued dialogue and, he would send the document back to capital for review. Pavlov also said that Belarus did not like mention of the UN Charter in the second paragraph of the preamble. He said that perhaps the Helsinki Final Act should also be mentioned. Germany (Schweizer) suggested language in paragraph eight of the Code itself, which mentions the Helsinki Final Act, as a compromise.

¶18. (SBU) A lengthy, intense discussion ensued wherein Switzerland, Germany, Sweden, Italy, France, Austria, Denmark, Spain, Ireland, and Slovenia argued for moving forward with the document, which means no additional edits at this point and a request that capitals conduct a careful review of the document as it currently stands. Germany (Schweizer) strongly argued that much of the 'balancing act' to achieve compromises on the questionnaire had been conducted over 'lots of hours' in informal working groups and that some of the smaller delegations, which often cannot attend all informal meetings, may not have witnessed the effort put in by all. The Chair (Riihimaki) concluded the discussion by noting 'a lot of support to go forward,' and asked delegations to consult with capitals. USdel requests Washington conduct a final review of the document, with a

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view toward its adoption in the next few weeks.

Chair's Progress Reports

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¶19. (SBU) The Chair (Riihimaki) gave an update on the status of its four progress reports to the MC (MC.GAL/5/08 - arms control agreements and CSBMs; MC.GAL/2/08 - SALW; MC.GAL/3/08 - SCA; MC.GAL/4/08) Code of Conduct). Suggestions made by delegations during the 4 November informal meeting will be reflected in revised versions of the

reports. The Chair requested that any additional inputs be delivered to drafters no later than 12 November to finalize and publish the reports in time for the December 4-5 Ministerial. The U.S. proposed text on discussions on the Georgia conflict will be added to the arms control agreements and CSBMs report, as requested by Washington, per ref email ¶C. The U.S. (Wright) mentioned that we had received comments on the SALW and SCA reports and would pass them on to the respective drafters immediately following the Working Group.

Next Meeting

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¶20. (U) The next FSC meeting will be on 12 November. Working Groups A and B will meet before the Plenary so the draft decisions noted in paras 9, 12, and 13 above can be passed to the Plenary for adoption.

SCOTT